

ATXI has been unsuccessful in obtaining an easement from Mr. Matthew L. Garvin. Mr. Garvin owns two parcels at issue along the Kansas to Sugar Creek segment of the Project in Edgar County, Illinois, internally designated as ILRP\_STPL\_ED\_051\_ROW and ILRP\_STPL\_ED\_053\_ROW. As summarized on ATXI Exhibit 2.1, ATXI has contacted, or attempted to contact, Mr. Garvin regarding acquiring an easement on least 26 occasions, including 4 letters, 2 in-person meetings, 11 phone calls, and 9 voicemails.

ATXI presented its offer to Mr. Garvin on November 5, 2013 and discussed the location of the transmission line and the poles along the line. Mr. Garvin stated that the offer was too low because the line would cut down his hardwood trees. In December of 2013, Mr. Garvin provided a counteroffer that was significantly in excess of ATXI's offer, stating that because Ameren came in with a "...ridiculously low offer" "...I'm countering with a ridiculously high offer." Mr. Garvin further stated that he would not consider signing anything until after the Edgar County rehearing. The agent informed Mr. Garvin that ATXI did not accept his counteroffer and that ATXI would consider increasing the offer if he provided documentation supportive of a higher offer. Throughout negotiations, Mr. Garvin restated the same counteroffer repeatedly, including as recently as December 18, 2015, yet as of January 11, 2015, he has not provided any documentation supportive of a higher offer. Mr. Garvin has also repeatedly stated that if ATXI will not provide him additional compensation, he will probably just take it to court.

ATXI and Mr. Garvin have a fundamental disagreement regarding the appropriate amount of compensation for the required easement. ATXI will continue to negotiate with Mr. Garvin to the extent he is willing to engage in negotiations, however, ATXI does not expect to reach a voluntary agreement in a time frame supportive of this line segment's in-service date. Therefore ATXI requests eminent domain authority over these parcels.

**Agent Checklist with Landowner**

1. Landowner contacted to set up initial appointment no sooner than 14 days after the 14 day letter was sent ☒
2. Initial appointment set for 11/5/13 by Edward Flanders ☒
3. Activity Note entered regarding Initial Meeting, including specifics regarding landowner concerns, if any, and details of meeting ☒
4. Prepare and review Acquisition documents and maps ☒
5. Provide landowner with business card and show Ameren ID badge ☒
6. Ask the landowner they received the 14 day letter: ☒
  - a. Ask if the landowner read 14 days letter
  - b. Does landowner have any questions regarding letter:

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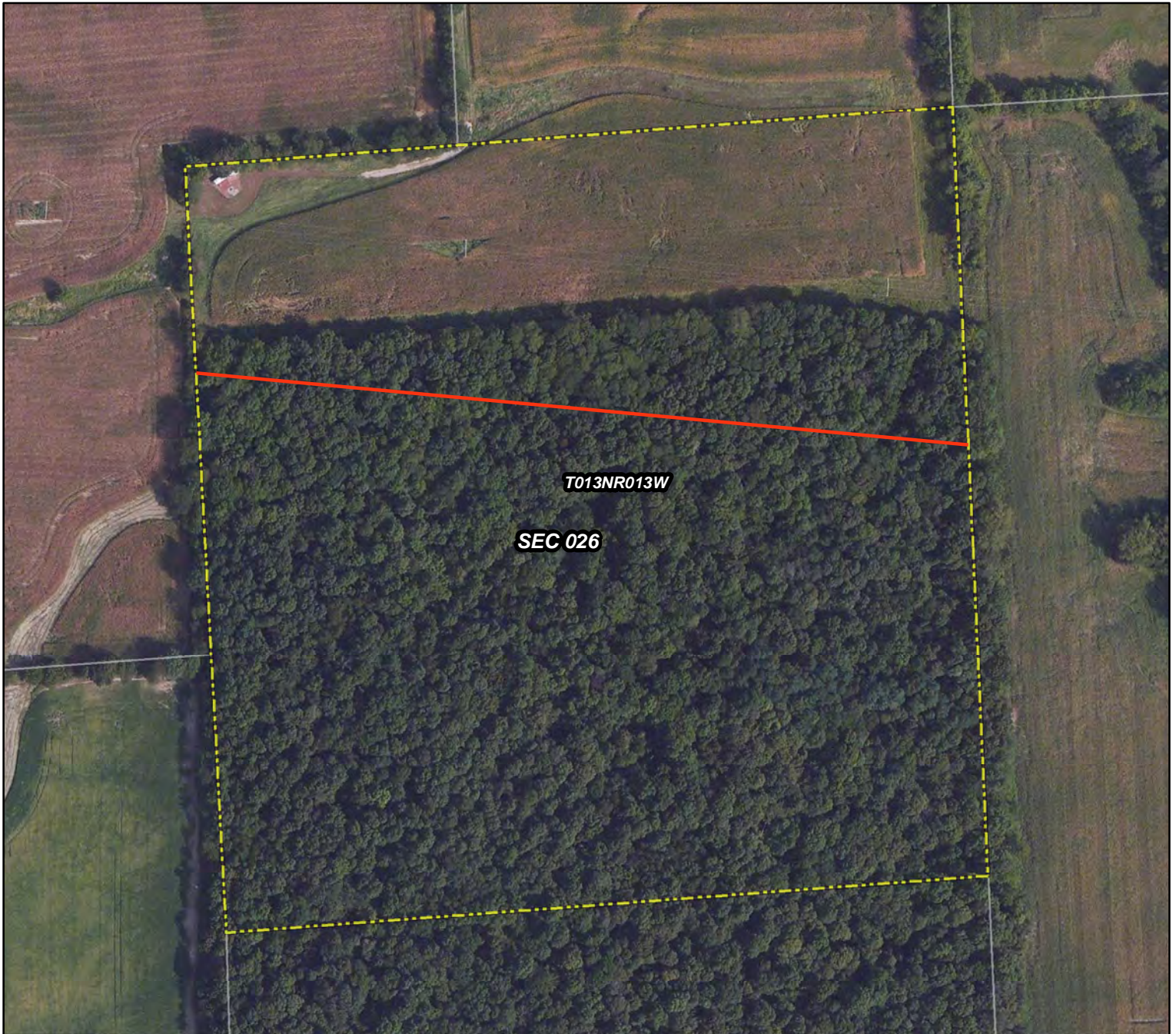
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7. Provide/explain the purpose of the project ☒
8. Discuss routing and how it affects landowner: ☒
  - a. Provide Fact Sheet about the project
  - b. Provide landowner copies of:
    - i. Small scale map of the project
    - ii. Sketch and description of type of facilities/structures
    - iii. Approximate location of facilities
    - iv. Option for Easement including exhibit showing length and width of the easement area
    - v. Memorandum of Option Exhibit B
9. Make compensation offer, provide calculation sheet and explain basis of offer ☒
10. Discuss subordination of mortgage, if applicable ☒
11. Complete Construction Questionnaire, including name of tenant, if applicable ☒
12. Provide EMF brochure, if requested ☒
13. Enter initial offers and counter-offers if any, into CLS Viewer. Contact tenant, as appropriate; complete tenant consent form if applicable ☒
14. Agent Name (Print and Sign) Houston Munson IV ☒



Tax Id: 06-17-26-300-009



**Ameren - Illinois Rivers**



Contract Land Staff, LLC  
2245 Texas Drive, Suite 200  
Sugar Land, TX 77479

*For discussion purposes only. All measurements and distances are approximations and pend final survey and engineering.*



-  Routes
-  Tracts
-  Adjacent Tracts
-  Section Boundary

0 87.5 175 350 525 Feet

**Matthew L. Garvin**

Tract No.:ILRP\_STPL\_ED\_051

Date: 11/17/2015



# Edgar County, IL

ATXI Exhibit 2.3 Part J  
Page 4 of 8

Tax Id: 06-17-26-400-001

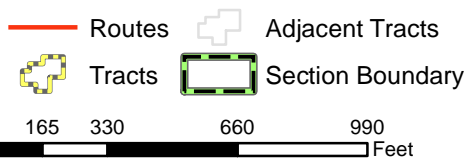


## Ameren - Illinois Rivers



Contract Land Staff, LLC  
2245 Texas Drive, Suite 200  
Sugar Land, TX 77479

For discussion purposes only. All measurements and distances are approximations and pend final survey and engineering.



Jamie L. Garvin

Tract No.: ILRP\_STPL\_ED\_053

Date: 11/17/2015

EXHIBIT "A"

A 4.595 ACRE TRACT OF LAND SITUATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 13 NORTH, RANGE 13 WEST OF THE 2ND PRINCIPAL MERIDIAN, EDGAR COUNTY, ILLINOIS AND BEING PART OF A TRACT OF LAND DESCRIBED AS TRACT I IN DEED TO MATTHEW L. GARVIN, RECORDED IN DOCUMENT NO. 200800002126 AND DOCUMENT NO. 06-0000169 OF THE DEED RECORDS OF EDGAR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT IN THE EAST LINE OF SAID NORTHEAST 1/4, FROM WHICH AN 8-INCH X 8-INCH CONCRETE POST FOUND AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 BEARS NORTH 01 DEGREES 26 MINUTES 35 SECONDS WEST, A DISTANCE OF 507.21 FEET, SAID POINT OF BEGINNING HAVING GRID COORDINATES OF N:1049911.90, E:1128151.28;

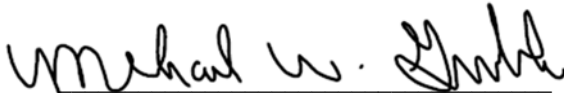
**THENCE** SOUTH 01 DEGREES 26 MINUTES 35 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 151.44 FEET TO A POINT FOR CORNER;

**THENCE** NORTH 83 DEGREES 31 MINUTES 56 SECONDS WEST, LEAVING SAID EAST LINE, A DISTANCE OF 1,333.90 FEET TO A POINT FOR CORNER IN THE WEST LINE OF SAID NORTHEAST 1/4;

**THENCE** NORTH 01 DEGREES 54 MINUTES 14 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 151.62 FEET TO A POINT FOR CORNER, FROM WHICH A 5/8-INCH IRON ROD WITH A YELLOW CAP FOUND AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 BEARS NORTH 81 DEGREES 11 MINUTES 49 SECONDS WEST, A DISTANCE OF 1,339.71 FEET;

**THENCE** SOUTH 83 DEGREES 31 MINUTES 56 SECONDS EAST, LEAVING SAID WEST LINE, A DISTANCE OF 1,335.13 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 200,177 SQUARE FEET OR 4.595 ACRES OF LAND, MORE OR LESS.

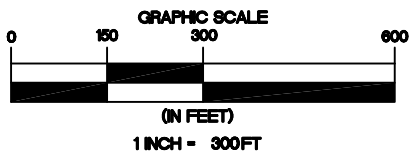
BEARING BASIS: ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 83(2011), EAST ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.



MICHAEL W. GERBERICK  
PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. 035-002683  
STATE OF ILLINOIS PROFESSIONAL  
DESIGN FIRM LICENSE NO. 184.006475

DATE: 07/28/2015





# EXHIBIT "A"

ATXI Exhibit 2.3 Part J  
Page 6 of 8

| LINE TABLE |             |          |
|------------|-------------|----------|
| NUMBER     | BEARING     | DISTANCE |
| L1         | S01°26'35"E | 151.44'  |
| L2         | N83°31'56"W | 1333.90' |
| L3         | N01°54'14"W | 151.62'  |
| L4         | S83°31'56"E | 1335.13' |
| L5         | N01°26'35"W | 507.21'  |

P.O.R.  
NE COR  
NE 1/4  
SW 1/4  
SEC 26

MATTHEW L. GARVIN  
AND  
JAMIE L. GARVIN,  
HUSBAND AND WIFE,  
DOCUMENT NO. 201100000974  
D.R.E.C.I.  
ILRP\_STPL\_ED\_053

P.O.B.  
GRID COORDINATES  
N:1049911.90  
E:1128151.28

N81°11'49"W 1339.71'  
P.O.R.—5/8" IRON ROD  
W/ YELLOW CAP FOUND  
NW COR SW 1/4 SEC 26

LYLE HAWKINS a/k/a  
LYLE NELSON HAWKINS  
DOCUMENT NO. 201300000283  
D.R.E.C.I.  
ILRP\_STPL\_ED\_049  
ILRP\_STPL\_ED\_050

PROPOSED 150'  
WIDE EASEMENT  
4.595 ACRES  
(200,177 S.F.)

SECTION 26  
TOWNSHIP 13N  
RANGE 13W

TRACT I  
MATTHEW L. GARVIN  
DOCUMENT NO. 200800002126  
DOCUMENT NO. 06-0000169  
D.R.E.C.I.  
ILRP\_STPL\_ED\_051

## LEGEND

D.R.E.C.I.

P.O.B.

P.O.R.



DEED RECORDS  
EDGAR COUNTY, ILLINOIS

POINT OF BEGINNING

POINT OF REFERENCE

CALCULATED POINT

8" X 8" CONCRETE POST FOUND

SECTION LINE

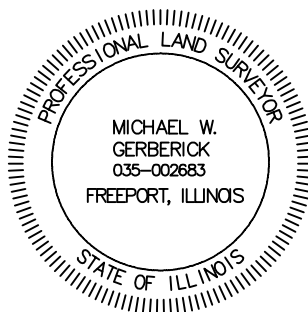
SUBJECT PROPERTY LINE

PROPERTY LINE

PROPOSED EASEMENT CENTERLINE

PROPOSED EASEMENT

EXISTING EASEMENT



MICHAEL W. GERBERICK  
PROFESSIONAL LAND SURVEYOR  
NO. 035-002683 - STATE OF ILLINOIS  
PROFESSIONAL DESIGN FIRM  
LICENSE NO. 184.006475 - STATE OF ILLINOIS

## NOTES:

1. THIS EXHIBIT DOES NOT REFLECT ANY UNDERGROUND UTILITIES, EASEMENT OF RECORD OR OTHER ENCUMBRANCES THAT MAY AFFECT THE SUBJECT TRACT.
2. REFERENCE IS MADE TO THE DESCRIPTION OF EVEN DATE ACCOMPANYING THIS SKETCH.

SHEET 02 OF 02

PROJECT: ILLINOIS RIVERS

JOB NUMBER: 32359

DATE: 07/28/2015

SCALE: 1"=300'

TRACT ID: ILRP\_STPL\_ED\_051

DRAWN BY: KAS



150' TRANSMISSION  
LINE EASEMENT  
SUGAR CREEK TO KANSAS  
SECTION 26, TOWNSHIP 13 NORTH, RANGE 13 WEST  
OF THE 2ND PRINCIPAL MERIDIAN  
EDGAR COUNTY, ILLINOIS

FN: D\_1935

ILRP\_STPL\_ED\_051.DWG



EXHIBIT "A"

A 4.571 ACRE TRACT OF LAND SITUATED IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 13 NORTH, RANGE 13 WEST OF THE 2ND PRINCIPAL MERIDIAN, EDGAR COUNTY, ILLINOIS AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO MATTHEW L. GARVIN AND JAMIE L. GARVIN, HUSBAND AND WIFE, RECORDED IN DOCUMENT NO. 201100000974 OF THE DEED RECORDS OF EDGAR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT IN THE WEST LINE OF SAID WEST 1/2, FROM WHICH AN 8-INCH X 8-INCH CONCRETE POST FOUND AT THE NORTHWEST CORNER OF SAID WEST 1/2 BEARS NORTH 01 DEGREES 26 MINUTES 35 SECONDS WEST, A DISTANCE OF 507.21 FEET, SAID POINT OF BEGINNING HAVING GRID COORDINATES OF N:1049911.90, E:1128151.28;

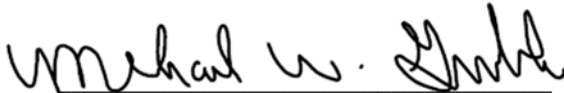
**THENCE** SOUTH 83 DEGREES 31 MINUTES 56 SECONDS EAST, LEAVING SAID WEST LINE, A DISTANCE OF 1,327.00 FEET TO A POINT FOR CORNER IN THE EAST LINE OF SAID WEST 1/2, FROM WHICH A 5/8-INCH IRON ROD WITH A RED CAP FOUND AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 26 BEARS NORTH 59 DEGREES 19 MINUTES 43 SECONDS EAST, A DISTANCE OF 1,506.03 FEET;

**THENCE** SOUTH 01 DEGREES 48 MINUTES 36 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 151.58 FEET TO A POINT FOR CORNER;

**THENCE** NORTH 83 DEGREES 31 MINUTES 56 SECONDS WEST, LEAVING SAID EAST LINE, A DISTANCE OF 1,327.98 FEET TO A POINT FOR CORNER IN SAID WEST LINE;

**THENCE** NORTH 01 DEGREES 26 MINUTES 35 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 151.44 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 199,123 SQUARE FEET OR 4.571 ACRES OF LAND, MORE OR LESS.

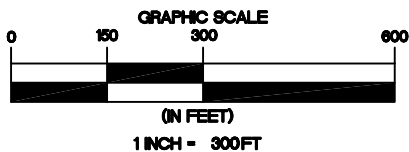
BEARING BASIS: ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 83(2011), EAST ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.



MICHAEL W. GERBERICK  
PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. 035-002683  
STATE OF ILLINOIS PROFESSIONAL  
DESIGN FIRM LICENSE NO. 184.006475

DATE: 07/28/2015





# EXHIBIT "A"

ATXI Exhibit 2.3 Part J  
Page 8 of 8

| LINE TABLE |             |          |
|------------|-------------|----------|
| NUMBER     | BEARING     | DISTANCE |
| L1         | S83°31'56"E | 1327.00' |
| L2         | S01°48'36"E | 151.58'  |
| L3         | N83°31'56"W | 1327.98' |
| L4         | N01°26'35"W | 151.44'  |



SECTION 26  
TOWNSHIP 13N  
RANGE 13W

P.O.R.  
NW COR  
W 1/2  
SE 1/4  
SEC 26

N01°26'35"W 507.21'

P.O.B.  
GRID COORDINATES  
N:1049911.90  
E:1128151.28

CENTRAL ILLINOIS PUBLIC  
SERVICE COMPANY ELECTRIC  
TRANSMISSION EASEMENT  
DOCUMENT NO. 57454  
D.R.E.C.I.

N59°19'43"E 1506.03'  
P.O.R. - 5/8" IRON ROD  
W/ RED CAP FOUND  
NE COR SE 1/4 SEC 26

TRACT I  
MATTHEW L. GARVIN  
DOCUMENT NO. 200800002126  
DOCUMENT NO. 06-0000169  
D.R.E.C.I.  
ILRP\_STPL\_ED\_051

PROPOSED 150'  
WIDE EASEMENT  
4.571 ACRES  
(199,123 S.F.)

MATTHEW L. GARVIN  
AND  
JAMIE L. GARVIN,  
HUSBAND AND WIFE,  
DOCUMENT NO. 201100000974  
D.R.E.C.I.  
ILRP\_STPL\_ED\_053

TRACT I  
DONALD E. BRINKERHOFF  
AND  
DOROTHY H. BRINKERHOFF,  
LIFE ESTATE  
RICHARD J. BRINKERHOFF  
DOCUMENT NO. 06-0000501  
D.R.E.C.I.  
ILRP\_STPL\_ED\_054

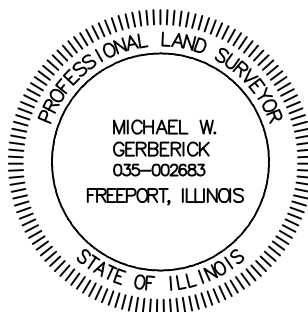
## LEGEND

D.R.E.C.I.

P.O.B.  
P.O.R.



DEED RECORDS  
EDGAR COUNTY, ILLINOIS  
POINT OF BEGINNING  
POINT OF REFERENCE  
CALCULATED POINT  
8" X 8" CONCRETE POST FOUND  
SECTION LINE  
SUBJECT PROPERTY LINE  
PROPERTY LINE  
PROPOSED EASEMENT CENTERLINE  
PROPOSED EASEMENT  
EXISTING EASEMENT



*Michael W. Gerberick*

MICHAEL W. GERBERICK  
PROFESSIONAL LAND SURVEYOR  
NO. 035-002683 - STATE OF ILLINOIS  
PROFESSIONAL DESIGN FIRM  
LICENSE NO. 184.006475 - STATE OF ILLINOIS

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SHEET 02 OF 02

|                            |
|----------------------------|
| PROJECT: ILLINOIS RIVERS   |
| JOB NUMBER: 32359          |
| DATE: 07/28/2015           |
| SCALE: 1"=300'             |
| TRACT ID: ILRP_STPL_ED_053 |
| DRAWN BY: KAS              |



150' TRANSMISSION  
LINE EASEMENT  
SUGAR CREEK TO KANSAS  
SECTION 26, TOWNSHIP 13 NORTH, RANGE 13 WEST  
OF THE 2ND PRINCIPAL MERIDIAN  
EDGAR COUNTY, ILLINOIS